Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (i)

BANGALORE, THURSDAY, OCTOBER 12, 1967
(ASVIJA 20, SAKA ERA 1889)

No. 220

HOME SECRETARIAT.

NOTIFICATION.

Bangalore dated 10th October 1967.

G.S.R. 451 In exercise of the powers conferred by section 71 of the Mysore Excise Act, 1965 (Mysore Act No. 21 of 1966), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published, as required by sub-section (1) of section 71 of the said Act, in Notification G.S.R. No. 404 in part IV-2-C (i) of the *Mysore Gazette* (Extraordinary), dated 13th September 1967, namely :—

THE MYSORE EXCISE (POSSESSION, TRANSPORT, IMPORT AND EXPORT OF INTOXICANTS) RULES, 1967

1. **Title, extent and commencement.**—(1) These rules may be called the Mysore Excise (Possession, Transport, Import and Export of Intoxicants) Rules, 1967.

(2) They shall extend to all the areas of the Mysore State where the Mysore Excise Act, 1965, is in force.

(3) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires,—

(*a*) "Act" means the Mysore Excise Act, 1965;

(*b*) "Bonded Warehouse" means a licensed private bonded warehouse or part of a public bonded warehouse established under clauses (*d*) and (*e*) of Section 16;

(*c*) "Form" means a form appended to these rules;

(*d*) "Licence" means a licence granted under any of the rules made under the Act;

(*e*) "Permit" means and includes a pass and an authorisation;

(*f*) "Section" means a section of the Act;

(*g*) "Verification" means—

(*i*) examining the seals of the cask, drum or other receptacle forming the consignment of intoxicants to verify that they are not tampered with during transit; (*ii*) ascertaining that the number and marks on the casks, drums or packages tally with those shown on the reverse of the permit; (*iii*) ascertaining that the quantity transported tallies with the quantity mentioned in the permit and includes in the case of spirit the real strength of which can be ascertained by the hydrometer examining the contents by drawing samples from the cask or drum or other package in order to find out that the strength of the spirit corresponds to that shown on the reverse of the permit; and (*iv*) satisfying that the duty, etc., required to be paid under the rules have been correctly levied and credited.

3. Transporter to apply for Permit.—Any person holding a licence, or permit for the possession, and/or sale of any intoxicants and desiring to transport the same from any licensed premises to his place of residence or licensed premises shall apply to the Deputy Commissioner of the District to which the intoxicant is to be conveyed for a transport permit.

4. Issue of Permit.—The Deputy Commissioner shall after verifying the application and after making such enquiries as he may consider necessary issue a transport permit in quadruplicate in form E. P. (T).

5. Disposal of four parts of Permit.—(1) Part I of the permit shall be kept on the record in the Deputy Commissioner's Office; Part II of the permit shall be sent by post to the Deputy Commissioner or Excise Authority of the District from where the intoxicant is to be transported; Part III shall be handed over to the transporter or to the person authorised by him to receive it; and Part IV shall be sent to the Excise Officer having jurisdiction over the place to which the intoxicant is to be transported.

(2) The transporter or his agent at the place from which the intoxicant has to be transported shall present his copy of the transport permit with an application to the Deputy Commissioner having jurisdiction over the licensed premises (in case such licensed premises are situated in a different district) from which the intoxicants have to be transported. On receipt of this application the Deputy Commissioner if he sees no objection, will after comparing it with the copy of transport permit received by him authorise the transport of the intoxicants mentioned in the transport permit by making suitable endorsement on the copy of the permit presented by the transporter. In cases where the transport is from one place to another place in the same District, Part II of the permit shall be sent to the Excise Officer having jurisdiction over the place from which the intoxicant

is to be transported, and he will endorse on the transporter's copy of the permit his permission approving the transport after comparing the transporter's copy of the transport permit with the copy received by him.

6. Delivery of the Intoxicants to the Transporter.—The transporter shall, unless he holds a Bonded Warehouse licence after payment of duty, if any, in the manner prescribed produce a chalan showing such payment to the Officer-in-charge of the Distillery, Brewery or Bonded Warehouse. On production of the chalan, if any, and/or the transport permit duly endorsed in the manner prescribed in rule 5, the officer or the licensee shall issue the intoxicants mentioned in the transport permit. The issuing officer or the licensee shall seal each cask, drum, package or other receptacles containing the intoxicants issued and shall return to the transporter or his agent his copy of the transport permit after filling in the particulars on the reverse thereof.

7. Transporter to give intimation of the arrival of the Consignment.—Immediately after the consignment covered by the transport permit is received, the transporter shall intimate the local Excise Officer or the Officer-in-charge of the warehouse of the arrival of the consignment. On receipt of such intimation the Excise Officer or the Officer-in-charge of the warehouse shall verify the consignment.

8. Verification, etc.—After verifying the consignment, the Excise Officer or the Officer-in-charge shall then permit the sale or warehousing of the intoxicants,as the case may be.

IMPORT

9. Application for an Import Permit.- Any person holding a licence, or permit for the possession, and/or sale of any intoxicants and desiring to import the same shall apply to the Deputy Commissioner of the District or other authorised officer who granted him the licence, or permit, for the grant of an import permit.

10. Particulars of Application.—Every application under rule 9 shall contain the following particulars namely :—

(*a*) Name of the importer, his address and licence number ;

(*b*) Name and place of the distillery or bonded warehouse or customs house or other place from which intoxicants are to be imported ;

(*c*) Descriptions of the intoxicants to be imported ;

(*d*) Quantity of each kind of intoxicant to be imported ;

(*e*) The alcoholic or other strength of the intoxicant ;

(*f*) Number and nature of receptacles or packages containing intoxicants ;

(*g*) Purposes for which the intoxicants are to be imported ; and

(*h*) Route by which the intoxicants are to be imported.

11. Procedure for Payment of Duty if any, and Grant of an Import Permit.—On receipt of an application under rule 10, the Deputy Commissioner or any other Authorised Officer shall after making such enquiries as he deems fit and if he is satisfied that there is no objection to grant the import permit applied for, in all cases where the importer does not have a bonded warehouse licence, calculate the duty leviable on the different kinds of intoxicants intended to be imported at the rates in force for the time being. He shall then communicate the same to the applicant who shall prepare the required challans in respect of the amount payable by him or if the applicant can himself correctly calculate the duty payable by him he may with a view to save time, calculate the duty and prepare the challans. The applicant shall then credit the amount to the Treasury or Bank, as the case may be, and produce the challan to the Deputy Commissioner or other Authorised Officer for the grant of an import permit who shall thereupon prepare the import permit in Form E.P. (T) in four parts.

12. **Disposal of the four Parts of the Permit.**—Part I of the permit shall be kept on the record of the Deputy Commissioner or other Authorised Officer issuing the permit;

Part II shall be sent by post to the Excise Authority of the State from where the intoxicant is to be imported or to the Collector of customs in case the import is from ship;

Part III shall be handed over to the importer or to the person authorised by him to receive it; and

Part IV shall be sent to the Excise Officer having jurisdiction over the place to which the intoxicant is to be imported or the Officer-in-charge in case of a Bonded Warehouse.

13. Importer to give Intimation of the Arrival of the Consignment.—Immediately after the consignment covered by the import permit is received, the importer shall intimate the authority to whom Part IV of the permit has been sent of the arrival of the consignment. On receipt of such intimation the Excise Officer or Officer-in-charge shall verify the consignment.

14. Verification of the Consignment. After verification the Excise Officer or Officer-in-charge shall then permit the sale, warehousing of imported intoxicants as the case may be.

Export.

15. Exporter to apply for Permit.—Any person holding a licence for the possession and sale of intoxicants and desiring to export the intoxicants from his licensed premises shall apply to the Deputy Commissioner of the District where his licensed premises is situated for the grant of an export permit. The application shall be accompanied by an import permit granted by the Excise Authority of the State to which the intoxicants have to be exported.

16. **Particulars of Application.**—Every such application shall contain the following particulars :

(*a*) Name of the exporter and his address ;

(*b*) Name of the importer and his address including the nature of licence held by him ;

(*c*) Description of intoxicants to be exported ;

(*d*) Quantity of each kind of intoxicants to be exported ; the nature of licence held by him ;

(*e*) The alcoholic or other strength of intoxicant ;

(*f*) Number and nature of receptacles of packages containing intoxicants ; and

(*g*) Route by which intoxicants are to be exported.

17. **Grant of Export Permit.**—On receipt of an application under rule 15, the Deputy Commissioner or other Authorised Officer after making such enquiries as he deems fit and if he sees no objection, may grant, an export permit in form E.P. (T) subject to the following conditions :—

(i) That the exporter executes a bond with or without sureties for the payment of duty on the intoxicants covered by the export permit at the rates for the time being in force.

(ii) That the exporter pays and produces the challan for having credited the export duty, if any, on the intoxicants at the rates for the time being in force.

(iii) That the bond will be in force till a report of verification of the consignment from the Excise Officer or other Authorised Officer of the place of import has been received.

18. **Disposal of the four Parts of the Permit.**—Part I of the permit shall be kept on the record of the Office of the Deputy Commissioner ;

Part II of the export permit shall be sent by post to the Excise Authority of the State to which the intoxicants have to be exported;

Part III shall be handed over to the exporter; and

Part IV shall be sent to the Officer-in-charge of the Bonded Warehouse or to the officer within whose jurisdiction the licensed premises of the exporter is situated.

19. Export of the Intoxicants.—The exporter shall after executing the bond and after paying the export duty, if any, in the prescribed manner produce the challan, export permit and bond before the officer to whom Part IV of the permit was sent. On presentation of these, the Officer-in-charge shall issue the intoxicants mentioned in the export permit. The Officer shall seal each receptacle or package containing the intoxicants and return to the exporter the copy of his permit after duly endorsing thereon the issue of intoxicants.

20. Cancellation of the Bond, etc.—After receipt of a report of either payment of duty or warehousing of the intoxicants in the importing State, the bond executed by the exporter shall be cancelled by the Deputy Commissioner and the Officer-in-charge of the warehouse or other officer shall also note the verification in the registers of the exporters.

In cases where the report of verification of the consignment or warehousing of the intoxicants in the importing State has not been received within the stipulated time, then the duty on the intoxicants shall be collected from the exporter and the sureties.

21. Cases where permit or licence is not required.—No permit or licence, under these rules, shall be required for

the possession or transport of the following quantities of liquors :—

	Liquor	*Quantity*
1.	Toddy	**3.5 litres**
2.	Molasses Arrack in places other than Coorg District	**0.4 litres**
3.	Molasses Arrack in Coorg District	**0.8 litres**
4.	Country Beer	**18.2 litres**
5.	Brandy, Whisky, Gin, Rum Milk Punch and such other liquors manufactured in Mysore State and manufactured in other places in India and imported to Mysore State	**2.3 litres**
6.	Foreign Liquors (Imported) ...	**9.1 litres**
7.	Denatured Spirit	**4.55 litres**
8.	Methylated spirit or Methyl alcohol ...	**0.76 litres**

22. Repeal and Savings.—All rules corresponding to the foregoing rules framed under any enactment repealed by section 72 of the Act are hereby repealed :—

Provided that any permit, licence or authorisation made or issued under any of the repealed rules shall so far as it is not inconsistent with the provisions of these rules, be deemed to have been made or issued under the corresponding provisions of these rules and shall continue to be in force accordingly, unless and until it expires or is superseded by anything done or any action taken under the Act or these rules as the case may be.

No. 220

Form No. E. P. (T)

(See *Rules 4, 11 and 17*)

1	2	3	4
Permit for Transport/Import/Export of the intoxicants.	Permit for Transport/Import/Export of the intoxicants.	Permit for Tranaport/Import/Export of the intoxicants.	Permit for Transport/Import/Export of the intoxicants.
PART I	*PART II*	*PART III*	*PART IV*
Permit No. District	Permit No. District	Permit No. District	Permit No. District
1. Name and address of the licensee.	1. Name and address of the licensee.	1. Name and address of the licensee.	1. Name and address of the licensee.
2. Name and address of the person from whom intoxicants is to be transported/imported/or to whom intoxicants is to be exported.	2. Name and address of the person from whom intoxicants is to be transported/imported or to whom intoxicants is to be exported.	2. Name and address of the person from whom intoxicants is to be transported/imported or to whom intoxicants is to be exported.	2. Name and address of the person from whom intoxicants is to be transported/imported/or to whom intoxicants is to be exported.
3. Place from which intoxicants have to be transported/imported or to which they are to be exported.	3. Place from which intoxicants have to be transported/imported or to which they are to be exported.	3. Place from which intoxicants have to be transported/imorted or to which they are to be exported.	3. Place from which intoxicants have to be transported/imported or to which they are to be exported.
4. Route (State whether road, rail, air or road-*cum*-rail, etc.)	4. Route (State whether road, rail, air or road-*cum*-rail, etc.)	4. Route (State whether road, rail, air or road-*cum*-rail, etc.)	4. Route (State whether road, rail, air or road-*cum*-rail, etc.)
5. Period of validity of permit.	5. Period of validity of permit.	5. Period of validity of permit.	5. Period of validity of permit.
6. Description of intoxicants to be transported/imported/ exported.	6. Description of intoxicants to be transported/imported/exported.	6. Description of intoxicants to be transported/imported/exported.	6. Description of inoxicants to be transported/imported/exported.

1	1	1	1 .....
2	2	2	2 .....
3	3	3	3 .....
4	4	4	4 .....
5	5	5	5 .....
7 Quantity of each kind of intoxicant.	7 Quantity of each kind of intoxicant	7 Quantity of each kind of intoxicant.	7 Quantity of each kind of intoxicant.
8 The alcoholic or other strength of the intoxicant.	8 The alcoholic or other strength of the intoxicant.	8 The alcoholic or other strength of the intoxicant.	8 The alcoholic or other strength of the intoxicant.
9 No. and nature of receptacles contained in the intoxicants.	9 No. and nature of receptacles contained in the intoxicants.	9 No. and nature of receptacles contained in the intoxicants.	9 No. and nature receptacles contianed in the intoxicants.
10 Purposes for which intoxicants transported or imported.	10 Purposes for which intoxicants transported or imported.	10 Purposes for which intoxicants transported or imported.	10 Purposes for which intoxicants transported or imported.
This permit is granted under and subject to the provisions of the Mysore Excise Act, 1965 and rules made thereunder authorising the above transport/import/export subject to the following conditions :-	This permit is granted under and subject to the provisons of the Mysore Excise Act, 1965 and rules made thereunder authorising the above transport/import/export subject to the following conditions :—	This permit is granted under and subject to the provisions of the Mysore Exeise Act, 1965 and rules made thereunder authorising the above transport/import/export subject to the following conditions:—	This permit is granted under and subject to the provisions of the Mysore Excise Act, 1965 and rules made thereunder authorising the above transport/import/export subject to the following conditions :—
Conditions	**Conditions**	**Conditions**	**Conditions**
1. The entire quantity of intoxicants shall be transported / imported/ exported in one consignment only and shall not be broken in transit.	1. The entire quantity of intoxicants shall be transported/imported / exported in one consignment only and shall not be broken in transit.	1. The entire quantity of intoxicants shall be transported / imported/exported in one consignment only and shall not be broken transit.	1. The entire quantity of intoxicants shall be transported/imported / exported in one consignment only and shall not be broken in transit.

1	2	3	4
2. The licensee shall pay such cost of the Excise or other Escort, if any, as the Deputy Commissioner may decide.	2. The licensee shall pay such cost of the Excise or other Escort, if any, as the Deputy Commissioner may decide,	2. The Licensee shall pay such cost of the Excise or other Escort, if any, as the Deputy Commissioner may decide	2. The licensee shall pay such cost of the Excise or other Escort, if any, as the Deputy Commissioner may decide.
Station : Seal of the Deputy Commissioner	Signature of the Deputy Commissioner	Station: Seal of the Deputy Commissioner.	Signature of the Deputy Commissioner	Station: Seal of the Deputy Commissioner.	Signature of the Deputy Commissioner	Station Seal of the Deputy Commissioner.	Signature of the Deputy Commissioner

[No. HD 52 EFL 67.]

By Order and in the name of the Governor of Mysore,

M. G. KRISHNA,
Under Secretary to Government,
Home Department (Excise).

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.